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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA	:	CONTINUANCE ORDER
	:	
v.	:	Mag. No. 22-6000 (DEA)
	:	
JOHN DEFAY	:	

This matter having come before the Court on the joint application of Jacqueline C. Romero, United States Attorney for the Eastern District of Pennsylvania, and Kelly Harrell, Special Attorney to the United States Attorney General, and defendant John Defay, by Adam K. Axel, Esq., for an order granting a continuance of the proceedings in the above-captioned matter from the date of this order through September 12, 2022, and the defendant being aware that he has the right to have the matter submitted to a grand jury within 30 days of the date of his arrest pursuant to Title 18 of the United States Code, Section 3161(b), and the defendant through his attorney having consented to the continuance, and two prior continuances having been granted by the Court; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Shortly after the defendant's arrest on the complaint and warrant in this matter, on February 14, 2022, the defendant, through counsel, agreed to a 90-day continuance of the speedy trial date, that is, until May 15, 2022, in order to engage in pre-indictment plea negotiations with the United States;

2. The parties began plea negotiations, and the United States provided early discovery to the defense to facilitate those discussions;
3. On or about May 5, 2022, the defendant, through counsel, agreed to another 60-day continuance of the speedy trial date, that is, until July 14, 2022, in order to continue plea negotiations with the United States;
4. Based on those discussions, the United States intends to extend a proposed guilty plea agreement to the defendant and, should the defendant accept the proposed agreement, charge the defendant by Information, which would render presentation of this matter to the grand jury and a subsequent trial unnecessary;
5. Upon receipt of the proposed guilty plea agreement, which is expected in the next two weeks, counsel for the defendant will require adequate time to review the agreement with the defendant;
6. Defendant has consented to the aforementioned continuance;
7. The grant of a continuance will likely conserve judicial resources; and
8. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

**WHEREFORE**, it is on this 1st day of July, 2022,

**ORDERED** that the proceedings scheduled in the above-captioned matter are continued from the date of this Order through and including September 12, 2022;

**IT IS FURTHER ORDERED** that the period from the date of this Order through and including September 12, 2022 shall be excludable in computing time under the Speedy Trial Act of 1974.



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HONORABLE DOUGLAS E. ARPERT  
UNITED STATES MAGISTRATE JUDGE

Consented and Agreed By:



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s/ Adam K. Axel, Esq.  
Counsel for Defendant

s/ Kelly Harrell

Kelly Harrell  
Special Attorney to the  
U.S. Attorney General